

SPECIAL PROVISIONS

1.1 BID APPEALS

- A. This specification and any accompanying specification or bid can be appealed.
- B. Your appeal must be submitted in writing to the city purchasing director for all bids no later than five (5) working days prior to bid opening.
- C. Your appeal must not only identify the provision, term or condition that is causing problems, but also your proposed alternate provision, term or condition and be supported by technical data, test results and other information.
- D. Contact the appropriate purchasing agent or the procurement specialist for appeal filing instructions.
- E. Appeals received later than five (5) working days prior to bid opening or without sufficient details will not be considered.

NOTICE

EFFECTIVE AUGUST 8, 2001

AN APPEAL FEE OF \$11,890.00 (CHECK OR MONEY ORDER) WHICH IS 1% OF THE \$1,189,000.00 ESTIMATED DOLLAR AMOUNT OF THIS CONTRACT IS REQUIRED WITH A BID SPECIFICATION APPEAL. THIS FEE IS A PREREQUISITE FOR PURSUING THE APPEAL AND MUST ACCOMPANY THE APPEAL. THE APPEAL FEE WILL BE RETURNED IF THE APPEAL IS UPHELD.

1.2 BID COMPLIANCE

- A. **Caution:** A bid that does not fully comply with all of the provisions, terms, and conditions of this or any accompanying specification and bid, **may** be determined as a counteroffer and **may** result in the bid being rejected for non-responsiveness.

1.3 GENERAL

- A. It is the intent of this specification to describe the minimum requirements for street lighting poles and signage to be purchased by the City of Milwaukee for the Infrastructure Services Division. All parts not specifically mentioned, which are necessary or which are regularly furnished in order to provide this pole, shall be furnished by the Successful Bidder at the bid price and shall conform in strength, quality of material and workmanship to that usually provided by the engineering practice indicated in this specification.

1.4 WARRANTY

- A. The seller and/or the manufacturer warrants that goods sold hereunder will be of merchantable quality, will conform to applicable specifications, drawings, designs, samples or descriptions, will be free from defects in materials and workmanship and will be fit for the particular purpose intended by the Buyer.
- B. This warranty will remain in effect for a period of one year from date of installation, not to exceed two years from date of delivery. Additional warranty requirements are stated in the TECHNICAL REQUIREMENTS.

- C. Seller and/or manufacturer agrees to repair or replace within a reasonable time, any part, feature or product found to be defective during the warranty period, including all freight, at no cost to the City.
- D. Seller or manufacturer shall reimburse the City for removal and reinstallation costs of such repairs and replacement if three or more units of the same order develop or exhibit similar defects.
- E. Vendor should include a complete warranty statement confirming compliance with the above requirements and those found in the technical requirements as well as any other applicable warranties with the bid. If not received with the bid, but requested by the Department of Administration (DOA), Business Operations Division – Procurement Services Section, the warranty statement must be submitted within three (3) working days of receiving a request or the bid will be rejected.

NOTE: WARRANTY STATEMENTS, WHICH TAKE EXCEPTION TO ANY OF THE ABOVE WARRANTY REQUIREMENTS INCLUDING THE WARRANTY FOR MERCHANTABILITY AND FITNESS WILL BE CONSIDERED A COUNTEROFFER AND WILL RESULT IN BID REJECTION.

1.5 AWARD AUTHORITY

- A. The DOA Business Operations Division–Procurement Services Section will be the sole judge of the quality and suitability of the equipment, materials and/or services offered in its determination of the Successful Bidder for bids that do not exceed \$30,000.
- B. For bids awarded prior to January 27, 2003, The Central Board of Purchases will be the sole judge of the quality and suitability of the equipment, materials and/or services offered in its determination of the Successful Bidder for bids that exceed \$30,000.00.
- C. For bids awarded after January 27, 2003, the City Purchasing Director will be the sole judge of the quality and suitability of the equipment, materials and/or services offered in its determination of the Successful Bidder for bids that exceed \$30,000.00.

1.6 PRIOR EXPERIENCE

- A. Bids will only be accepted from manufacturers who have specialized in manufacturing products similar to those described herein for a minimum of ten (10) documented years.
- B. Each bidder should provide information with their bid or within three (3) working days of receiving a request which will certify that they have experience in manufacturing street lighting pole assemblies and signage assemblies.
- C. This will include, but not be limited to, the names of cities and companies to whom assemblies were furnished along with the name and telephone number of a person to contact.

NOTE: IF NOT RECEIVED WITH THE BID, BUT REQUESTED BY THE DOA, BUSINESS OPERATIONS DIVISION – PROCUREMENT SERVICES SECTION, THE DOCUMENTATION CERTIFYING A BIDDER’S EXPERIENCE MUST BE SUBMITTED WITHIN THREE (3) WORKING DAYS OF RECEIVING A REQUEST OR THE BID WILL BE REJECTED.

1.7 UNSUITABLE EQUIPMENT

- A. Bids will not be considered for equipment or material which has previously failed to perform satisfactorily.

1.8 ASTM, ANSI, AWWA, AASHTO DESIGNATION

- A. Reference to ASTM, ANSI, AWWA, AASHTO, designations shall mean the latest revision of the particular ASTM, ANSI, AWWA or AASHTO test procedure in effect at time this bid is let for the item/product described herein.

1.9 PACKAGING

- A. All light poles, accessories and signs shall be protected against the elements and be able to be stored for a period of six (6) months without discoloring or staining of finish to poles or bases. all parts are to be properly protected from damage during transit. All shafts may be banded together for shipment. Truck shipment will be accepted only by flat bed or staked sides for fork lift unloading.

1.10 DELIVERY

- A. All deliveries are to be made to the Infrastructure Services Division, 1540 W. Canal Street, Milwaukee, WI 53223. Notice of delivery must be given 24 hours in advance to the Division at (414) 286-3481. All deliveries are to be made between the hours of 7:30 a.m. and 2:30 p.m. Monday through Friday only, not including legal holidays.

1.11 ITEMS TO BE FURNISHED WITH BID

- A. All bid documents required by the DOA, Purchasing Division.
- B. Paint specifications and colors should be provided with the bid.

NOTE: IF NOT RECEIVED WITH THE BID, BUT REQUESTED BY THE DOA, BUSINESS OPERATIONS DIVISION – PROCUREMENT SERVICES SECTION, THE PAINT SPECIFICATIONS AND COLORS MUST BE SUBMITTED WITHIN THREE (3) WORKING DAYS OF RECEIVING A REQUEST OR THE BID WILL BE REJECTED.

END OF SECTION